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Representing the United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAUL M. MARCINIAK,

Defendant.

Case No. 2:17-cr-14-JAD-PAL

SECOND STIPULATION TO
CONTINUE SENTENCING

It is hereby stipulated and agreed between the United States of America, by and through Dayle Elieson, United States Attorney, and Daniel J. Cowhig, Assistant United States Attorney, and Thomas Ericsson, Esq., counsel for defendant PAUL M. MARCINIAK, that the sentencing hearing set for Monday, January 14, 2019 at 10:00 a.m. in Courtroom 6D before the Honorable Jennifer A. Dorsey be vacated and continued to a date and time convenient to the Court but no earlier than 30 days hence.

This stipulation is entered into for the following reasons:

1. This is a joint request by counsel for the United States and for the defendant;

1 2. The additional time requested by this stipulation is reasonable pursuant to
2 Federal Rule of Criminal Procedure 32(b)(2) which allows that “the Court may, for good cause,
3 change any limits prescribed in this rule;”

4 3. Both counsel request this additional time to allow adequate time to research
5 sentencing issues and prepare for the sentencing hearing;

6 4. This is the second such request for continuance.

7 For these reasons, the ends of justice would best be served by a continuance of the
8 sentencing hearing to a date and time convenient to the Court but no earlier than 30 days
9 hence.

10 A proposed order is attached.

11 Respectfully Submitted: January 10, 2019

12 Counsel for the Defendant
13 PAUL M. MARCINIAK

DAYLE ELIESON,
United States Attorney

14 _____/s//_____
15 THOMAS ERICSSON, Esq.
Oronoz & Ericsson, LLC

_____/s//_____
DANIEL J. COWHIG
Assistant United States Attorney

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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

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8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 vs.

11 PAUL M. MARCINIAK,

12 Defendant.
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Case No. 2:17-cr-14-JAD-PAL

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER

14 Findings of Fact

15 Based on the pending stipulation of counsel, and good cause appearing therefore, the
16 Court finds that:

- 17 1. This is a joint request by counsel for the United States and for the defendant;
18 2. The additional time requested by this stipulation is reasonable pursuant to
19 Federal Rule of Criminal Procedure 32(b)(2) which allows that “the Court may, for good cause,
20 change any limits prescribed in this rule;”
21 3. Both counsel request this additional time to allow adequate time to research
22 sentencing issues and prepare for the sentencing hearing;
23 4. This is the second such request for continuance.
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IT IS HEREBY ORDERED that the sentencing hearing currently scheduled for Monday, January 14, 2019 at 10:00 a.m. is continued to February 25, 2019 at the hour of 10:00 a.m.

IT IS SO ORDERED.

DATED: 1/11/2019